

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: <u>5/24/05</u>		2 Serial/Patent # <u>107790,304</u>		
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
<input type="checkbox"/>	Filing			\$
<input type="checkbox"/>	Amendment			\$
<input type="checkbox"/>	Extension of Time			\$
<input type="checkbox"/>	Notice of Appeal/Appeal			\$
<input checked="" type="checkbox"/>	Petition		<u>8/30/04</u>	<u>\$ 130.00</u>
<input type="checkbox"/>	Issue			\$
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$
<input type="checkbox"/>	Maintenance			\$
<input type="checkbox"/>	Assignment			\$
<input type="checkbox"/>	Other			\$
		7 TOTAL AMOUNT OF REFUND	<u>\$ 130.00</u>	
		8 TO BE REFUNDED BY:		
10 REASON:		<input type="checkbox"/> Treasury Check <input checked="" type="checkbox"/> Credit Deposit A/C #: <u>06--0308</u>		
<input type="checkbox"/>	Overpayment			
<input type="checkbox"/>	Duplicate Payment			
<input checked="" type="checkbox"/>	No Fee Due (Explanation): <u>78 petition dismissed as moot</u>			
11 REFUND REQUESTED BY:				
TYPED/PRINTED NAME: <u>Cliff Congo</u>		TITLE: <u>Petitions Attorney</u>		
SIGNATURE: <u>Cliff Congo</u>		PHONE: <u>571-272-3207</u>		
OFFICE: <u>Petitions</u>				
***** THIS SPACE RESERVED FOR FINANCIAL USE ONLY *****				
APPROVED: <u>Alicia Miller</u>		DATE: <u>6/16/05</u>		

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B



RYLZ 2 00658-1

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR(S) : John S. Murphy, et al.
TITLE : BAGLESS CANISTER VACUUM CLEANER
APPLICATION NO. : 10/790,304
FILED : March 1, 2004
CONFIRMATION NO. : 9303
EXAMINER : Jason M. Greene
ART UNIT : 1724
LAST OFFICE ACTION : July 20, 2004
ATTORNEY DOCKET NO. : RYLZ 2 00658-1
Cleveland, OH 44114
August 27, 2004

PETITION FOR CLAIM OF BENEFIT OF PRIOR FILED APPLICATION**UNDER 37 CFR 1.78(a)(3)**

MAIL STOP PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

A specific reference to a prior application required by 35 U.S.C. §120 and 37 C.F.R. §1.78 9a)(2)(iii) was omitted from the specification of this continuation application.

Applicant respectfully petitions for the application to be accorded the benefit, as a continuation of U.S. Application Serial No. 09/944,731 filed August 31, 2001, and to claim the benefit of U.S. Provisional Application No. 60/230,287 filed September 1, 2000.

Reference to the claim of benefit to Provisional Application No. 60/230,287 was listed in the specification. However, the priority of U.S. Application Serial No. 09/944,731 was claimed only on the transmittal sheet and was not mentioned in the specification. As a result, the relationship of the present application to its parent was not specified in the specification of the instant application.

10/31/2004 EAREBAY1 00000020 10790304

11 FC1460 130.00 0P
Adjustment date: 08/16/2005
03/27/2004 EAREBAY1 00000020 10790304
01 FC1450 -130.00 JP